

**CITY of BURIEN**  
**Department of Community Development**

**Interpretation # 01-02**

**Subject:** Application of Transition Standards when an alley separates parcels with differing zoning designations (BMC 19.17.015)

**Interpretation:** It is my interpretation that the transition standards of BMC 19.17.015 shall apply along property lines abutting alleys and an alley should be treated as a property line or street frontage for the purpose of implementing transition standards.

**Findings of Fact:**

- *The defined or common meaning of the words of the provision:*

18.15.025 Alley - “Alley” means an improved thoroughfare or right-of-way, whether public or private, usually narrower than a street, that provides vehicular access to an interior boundary of one or more lots, and is not designed for general traffic circulation.

19.10.470 Right-of-way – Land dedicated primarily to the movement of vehicles and providing for primary access to adjacent *lots*. The land may also provide space for pedestrian movement, utility lines and appurtenances and other publicly owned devices.

19.10.520 Street – A public *right-of-way*.

- *The general purpose of the provision as expressed in the provision.*

The purpose of this section is to provide standards for creation of a buffer between a *residential zone* and a zone that permits development of higher intensity, and between a RM zone and a RS zone.

This section applies to any *lot* located in a zone designated in BMC 19.17.015 as the “Zone providing transition,” and that is located within 100 feet of a zone within the City of Burien designated on the chart as “Zone receiving transition”, or within 100 feet of a similar zone outside of the city limits. The requirements of this section must be met on the *lot* located within the zone providing transition

The following standards apply to any *development activity* within a *transition area*:

A landscape buffer, at least 20 feet in width, shall be provided along the entire *street* frontage where any portion of the *street* frontage is abutting a zone receiving transition and along the *interior property line* abutting the zone receiving transition. The landscape buffer shall comply with Type I landscaping, as described in Chapter 19.25. Driveways shall not be allowed within the landscape buffer area, unless, in the opinion of the *Director*, there is no feasible alternative for providing access. If allowed, driveway width shall be the minimum necessary to provide safe access.

- *The logical or likely meaning of the provision viewed in relation to the Comprehensive Plan and applicable purpose and intent statements in this Code.*

The logical meaning of the provision is to provide for transitions between lower and higher intensity zones to reduce or minimize potential negative impacts to surrounding properties of dissimilar development or intensity. By installing landscaping or modifying buildings in the transition area those impacts are reduced or minimized. Although not intended nor designed to accommodate normal traffic, alleys are considered right-of-ways. An alley improved to an acceptable city standard does not provide screening nor sufficient distance to meet the purpose of a transitional buffer.

**Conclusions:**

Transition standards should apply along property lines abutting alleys, which should be treated as a property line or street frontage for the purpose of implementing transition standards

\_\_\_\_\_  
 Scott Greenberg  
 Interim Community Development Director

April 25, 2001  
 Date